

State of California  
State Water Resources Control Board

*Working Prosser*

DIVISION OF WATER RIGHTS

STATE WATER RESOURCES  
CONTROL BOARD

P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

2005 DEC -5 AM 11:33

APPLICATION TO APPROPRIATE WATER

APPLICATION No. 31488

(Leave Blank)

1. APPLICANT

U.S. Department of Interior

(916) 978-5200

Bureau of Reclamation (MP-440)

(Telephone - between 8 a.m. and 5 p.m.)

2800 Cottage Way

Sacramento

California

95825

(Mailing address)

(City or town)

(State)

(Zip code)

2. SOURCE

a. The name of the source at the point of diversion is

Prosser Creek

(If unnamed, state that it is an unnamed stream, spring, etc.)

tributary to Truckee River

b. In a normal year does the stream dry up at any point downstream from your project? YES ☐ NO ☒

If yes, during what months is it usually dry? From \_\_\_\_\_ to \_\_\_\_\_

What alternate sources are available to your project should a portion of your requested direct diversion season be excluded because of a dry stream or nonavailability of water? n/a

3. POINTS of DIVERSION and REDIVERSION

a. The point(s) of diversion will be in the County of Nevada  
and within Assessor's Parcel Number (APN #) \_\_\_\_\_

b.

List all points giving coordinate distances from section corner or other tie as allowed by SWRCB regulations i.e. California Coordinate System	Point is within (40-acre subdivision)	Section	Township	Range	Base and Meridian
See Attachment No. 1	1/4 of 1/4				
	1/4 of 1/4				
	1/4 of 1/4				

c. Does applicant own the land at the point of diversion? YES ☒ NO ☐

d. If applicant does not own the land at point of diversion, state name and address of owner and what steps have been taken to obtain right of access: n/a

*"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>".*  
Additional copies of this form and water right information can be obtained at [www.waterrights.ca.gov](http://www.waterrights.ca.gov).

4. **PURPOSE of USE, AMOUNT and SEASON** (See insert following page 3 of this application)

- a. In the table below, state the purpose(s) for which water is to be appropriated, the quantities of water for each purpose, and the dates between which diversions will be made. Use gallons per day if rate is less than 0.025 cubic foot per second (approximately 16,000 gallons per day).

PURPOSE OF USE (Irrigation, Domestic, etc.)	DIRECT DIVERSION				STORAGE		
	QUANTITY		SEASON OF DIVERSION		AMOUNT		COLLECTION SEASON
	RATE (Cubic feet per second or gallons per day)	AMOUNT (Acre-feet per year)	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)	Acre-feet per annum	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)
See Attachment No. 3					30,000	10/01	08/10

- b. Total combined amount taken by direct diversion and storage during any one year will be 30,000 \* acre-feet.

\*Note: Companion right to previous right under License 10180.

5. **JUSTIFICATION of AMOUNT** (See insert following page 3 of this application)

- a. IRRIGATION: Maximum area to be irrigated in any one year is 96,800 acres.

CROP	ACRES	METHOD OF IRRIGATION (Sprinklers, flooding, etc.)	ACRE-FEET PER YEAR	NORMAL SEASON	
				Beginning Date	Ending Date
General Crops	96,800			04/01	11/01

- b. DOMESTIC: Number of residences to be served is \_\_\_\_\_. Separately owned? YES ☐ NO ☐  
 Total number of people to be served is \_\_\_\_\_. Estimated daily use per person is \_\_\_\_\_  
 Total area of domestic lawns and gardens is \_\_\_\_\_ square feet. (Gallons per day)  
 Incidental domestic uses are \_\_\_\_\_  
 (Dust control area, number and kind of domestic animals, etc.)

- c. STOCKWATERING: Kind of stock n/a Maximum number \_\_\_\_\_  
 Describe type of operation: \_\_\_\_\_  
 (Feed lot, dairy, range, etc.)

- d. RECREATIONAL: Type of recreation: Fishing ☐ Swimming ☐ Boating ☐ Other ☐

- e. MUNICIPAL: (Estimated projected use)

POPULATION		MAXIMUM MONTH		ANNUAL USE		
5-Year periods until use is completed		Average daily use (gal. per capita)	Rate of diversion (cfs)	Average daily use (gal. per capita)	Acre-foot (per capita)	Total acre feet
PERIOD	POP.					
Present						

Month of maximum use during year is \_\_\_\_\_. Month of minimum use during year is \_\_\_\_\_.

f. HEAT CONTROL: The total area to be heat protected is n/a net acres.  
Type of crop protected is \_\_\_\_\_  
Rate at which water is applied to use is \_\_\_\_\_ gpm per acre.  
The heat protection season will begin about \_\_\_\_\_ and end about \_\_\_\_\_  
(Date) (Date)

g. FROST PROTECTION: The total area to be frost protected is n/a net acres.  
Type of crop protected is \_\_\_\_\_  
Rate at which water is applied to use is \_\_\_\_\_ gpm per acre.  
The frost protection season will begin about \_\_\_\_\_ and end about \_\_\_\_\_  
(Date) (Date)

h. INDUSTRIAL: Type of industry is \_\_\_\_\_  
Basis for determination of amount of water needed is \_\_\_\_\_

i. MINING: The name of the claim is n/a Patented ☐ Unpatented ☐  
The nature of the mine is \_\_\_\_\_. Mineral to be mined is \_\_\_\_\_  
Type of milling or processing is \_\_\_\_\_  
After use, the water will be discharged into \_\_\_\_\_  
(Name of stream)  
in \_\_\_\_\_  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_, T \_\_\_\_\_, R \_\_\_\_\_, \_\_\_\_\_ B. & M.  
(40-acre subdivision)

j. POWER: The total fall to be utilized is \_\_\_\_\_ feet. The maximum amount of water to be used through the penstock is \_\_\_\_\_ cubic feet per second. The maximum theoretical horsepower capable of being generated by the works is \_\_\_\_\_. Electrical capacity is \_\_\_\_\_ kilowatts at \_\_\_\_\_ % efficiency.  
(Cubic feet per second x fall + 8.8) (Ap x 0.746 + efficiency)  
After use, the water will be discharged into \_\_\_\_\_  
(Name of stream)  
in \_\_\_\_\_  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_, T \_\_\_\_\_, R \_\_\_\_\_; \_\_\_\_\_ B. & M. FERC No. \_\_\_\_\_  
(40-acre subdivision)

k. FISH AND WILDLIFE PRESERVATION AND/OR ENHANCEMENT: YES ☐ NO ☐ If yes, list specific and habitat type that will be preserved or enhanced in item 10 of Environmental Information form APP-ENV.

l. OTHER: Describe use: See Attachment No. 3. Basis for determination of amount of water needed is \_\_\_\_\_

6. PLACE OF USE - See Attachment No. 2

a. Does applicant own the land where the water will be used? YES ☐ NO ☒ Is land in joint YES ☐ NO ☒  
(All joint owners should include their names as applicants and sign the application.) ownership?

If applicant does not own land where the water will be used, give name and address of owner, and state what arrangements have been made with the owner. Water will be delivered as provided in TROA. Watermaster:  
Garry Stone, 290 So. Arlington, Reno, Nevada 89501, (775) 783-5241.

b. USE IS WITHIN (40-ACRE SUBDIVISION)	SECTION	TOWNSHIP	RANGE	BASE & MERIDIAN	IF IRRIGATED	
					Number of acres	Presently cultivated (Y/N)
$\frac{1}{4}$ of $\frac{1}{4}$						
$\frac{1}{4}$ of $\frac{1}{4}$						
$\frac{1}{4}$ of $\frac{1}{4}$						
$\frac{1}{4}$ of $\frac{1}{4}$						
$\frac{1}{4}$ of $\frac{1}{4}$						

(If area is unsurveyed, state the location as if lines of the public land survey were projected, or contact the Division of Water Rights. If space does not permit listing all 40-acre tracts, include on another sheet or state sections, townships and ranges, and show detail on map.)

#### 4. Purpose of Use, Amount and Season

The applicant is requesting to remove the limitation of the existing License 10180 for Prosser Reservoir limiting the maximum withdrawal in any one year to 20,162 AF and to increase the fill season for Prosser Reservoir under the existing license from April 10 to August 10 the period from October 1 to August 10. The total quantity of water diverted to storage under this application will remain at 30,000 AF. Because implementation of the changes proposed in this application is predicated on the approval and implementation of TROA, the applicant requests that the order by the State Water Resources Control Board (SWRCB) approving this application include the following condition:

"This permit will not take effect unless the Truckee River Operating Agreement is in effect. All diversion, storage, use of water and operations under this permit and or license shall be in accordance with the provisions contained in this permit or any subsequent license and the Truckee River Operating Agreement."

Water stored in this Reservoir pursuant to future permits issued by the Nevada State Engineer under Nevada Law and recognized pursuant to the provisions of California Water Code Section 1231 and 1232 shall not be considered as water stored pursuant to the provisions of this permit.

#### 5. Justification of Amount

TROA contains procedures designed to make more efficient use of existing Truckee River reservoirs, and to provide multiple benefits, such as:

- Increase municipal and industrial drought water supply for the Reno/Sparks area (Truckee Meadows), City of Fernley, and the Truckee River basin in California;
- Enhance conditions for cui-ui and Lahontan cutthroat trout, fish species listed respectively as endangered and threatened by the Federal Government;
- Reduce stream flow variability, and enhance seasonal stream flows and water quality; and
- Maintain reservoir storage at levels to better serve recreational uses.

Presently, each reservoir generally stores only one category of water for a specific purpose. Under TROA, each reservoir could store several categories of water, each with a different beneficial use, storage priority, and release and spill priority. Use of the reservoirs would also be expanded to allow additional parties (TROA signatory parties and storing parties), and the respective reservoir owner(s), to store new categories of water (credit water) from water allocated to California, water dedicated to the exercise of the Orr Ditch Decree water rights, water which would otherwise flow to Pyramid Lake, or project and private waters already in storage. By incorporating existing storage priorities and capacities for project and private waters in their respective reservoirs, TROA would not impair or conflict with the exercise of vested or perfected Orr Ditch Decree water rights or interfere with flood control and dam safety criteria.

The application to appropriate water by permit seeks to allow use of the full capacity of the existing reservoirs for the purpose of storing credit water. The section of the application entitled "Justification of Amount" and the instructions for its completion assume a traditional operating regime where each dam is operated to maximize the efficiency of that particular dam and that particular dam supplies water for specific needs to a specific area or public. TROA attempts to make the entire Truckee system operate as one unit rather than individual facilities operating for their own most optimum circumstances. To accomplish this, TROA allows credits to be transferred among water owners and water to be used from whichever reservoir that would be most efficient at that point in time to utilize. For these reasons, the section on "Justification of Amount" does not seem to apply and we have marked the entire section "n/a".

## 7. DIVERSION WORKS

a. Diversion will be by gravity by means of n/a

(Dam, pipe in unobstructed channel, pipe through dam, siphon, weir, gate, etc.)

b. Diversion will be by pumping from n/a Pump discharge rate \_\_\_\_\_ Horsepower \_\_\_\_\_

(Depth of the well \_\_\_\_\_)

(Sump, offset well, channel, reservoir, etc.)

(cfs or gpd)

c. Conduit from diversion point to first lateral or to offstream storage reservoir:

CONDUIT (Pipe or channel)	MATERIAL (Type of pipe or channel lining) (Indicate if pipe is buried or not)	CROSS SECTIONAL DIMENSION (Pipe diameter or ditch depth and top and bottom width)	LENGTH (Feet)	TOTAL LIFT OR FALL		CAPACITY (Estimate)
				Feet	+ or -	
n/a						

d. Storage reservoirs: (For underground storage, complete Supplement I to APP, available upon request.)

Name or number of reservoir, if any	DAM				RESERVOIR		
	Vertical height from downstream toe of slope to spillway level (ft.)	Construction material	Dam length (ft.)	Freeboard Dam height above spillway crest (ft.)	Approximate surface area when full (acres)	Approximate capacity (acre-feet)	Maximum water depth (ft.)
Prosser Cr.	119	Earthfilled	1830	21.3	734	30,000	119

e. Outlet pipe: (For storage reservoirs having a capacity of 10 acre-feet or more.)

Diameter of outlet pipe (inches)	Length of Outlet pipe (feet)	FALL (Vertical distance between entrance and exit of outlet pipe in feet)	HEAD (Vertical distance from spillway to outlet pipe in reservoir in feet)	Estimated storage below outlet pipe entrance (dead storage)
90"	200		130	Approx. 1,000

f. If water will be stored and the reservoir is not at the point of diversion, the maximum rate of diversion to offstream storage will be n/a cfs. Diversion to offstream storage will be made by: ☐ Pumping ☐ Gravity

## 8. COMPLETION SCHEDULE

a. Year work will start 1959

b. Year work will be completed 1962

c. Year water will be used to the full extent intended \_\_\_\_\_

d. If completed, year of first use \_\_\_\_\_

## 9. GENERAL

a. Name of the post office most used by those living near the proposed point of diversion is Truckee, California

Does any part of the place of use comprise a subdivision on file with the Department of Real Estate? YES ☐ NO ☒

If yes, state name of the subdivision \_\_\_\_\_

If no, is subdivision of these lands contemplated? YES ☐ NO ☒

Is it planned to individually meter each service connection? YES ☐ NO ☒ If yes, when? \_\_\_\_\_

b. List the names and addresses of diverters of water from the source of supply downstream from the proposed point of diversion: Numerous diverters downstream of Prosser Creek Dam along the Truckee River to Pyramid Lake; almost all in the State of Nevada.

c. Is the source used for navigation, including use by pleasure boats, for a significant part of each year at the point of diversion, or does the source substantially contribute to a waterway which is used for navigation, including use by pleasure boats? YES ☐ NO ☐ If yes, explain n/a

10. EXISTING WATER RIGHT (See insert following this page for 10.)

Do you claim an existing right for the use of all or part of the water sought by this application? YES ☐ NO ☐

If yes, complete table below:

Nature of Right (riparian, appropriative, groundwater)	Year of First Use	Purpose of use made in recent years including amount, if known	Season of Use	Source	Location of Point of Diversion

11. AUTHORIZED AGENT (Optional)

With respect to ☐ all matters concerning this water right application ☐ those matters designated as follows:

\_\_\_\_\_  
(Name of agent)

( )  
(Telephone number of agent between 8 a.m. and 5 p.m.)

\_\_\_\_\_  
(Mailing address)

\_\_\_\_\_  
(City or town)

\_\_\_\_\_  
(State)

\_\_\_\_\_  
(Zip code)

is authorized to act on my behalf as my agent.

12. SIGNATURE OF APPLICANT

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated DEC 19 2003 20, at Sacramento, California

Ms. Mr.  
Miss. Mrs. [Signature]  
(Signature of applicant)

(If there is more than one owner of the project,  
please indicate their relationship.)

Ms. Mr.  
Miss. Mrs. \_\_\_\_\_  
(Signature of applicant)

Additional information needed for preparation of this application may be found in the Instruction Booklet entitled "HOW TO FILE AN APPLICATION TO APPROPRIATE WATER IN CALIFORNIA". If there is insufficient space for answers in this form, attach extra sheets. Please cross-reference all remarks to the numbered item of the application to which they may refer. Send original application and one copy to the STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS, P.O. Box 2000, Sacramento, CA 95812-2000, with \$100 minimum filing fee.

NOTE:

If this application is approved for a permit, a minimum permit fee of \$100 will be required before the permit is issued.

## 10. Existing Water Right

This application is requesting to remove the limitation of the existing license for Prosser Reservoir limiting the maximum withdrawal in any one year at Prosser to 20,162 AF and to increase the fill season for Prosser Reservoir under the existing license from April 10 to August 10 to the period from October 1 to August 10. This right will be used in conjunction with License 10180. The total quantity of water diverted to storage under this application will be no greater than 30,000 AF as per License 10180. Because implementation of the changes proposed in this application is predicated on the approval and implementation of TROA, the applicant requests that the order by the State Water Resources Control Board (SWRCB) approving this application include the following condition:

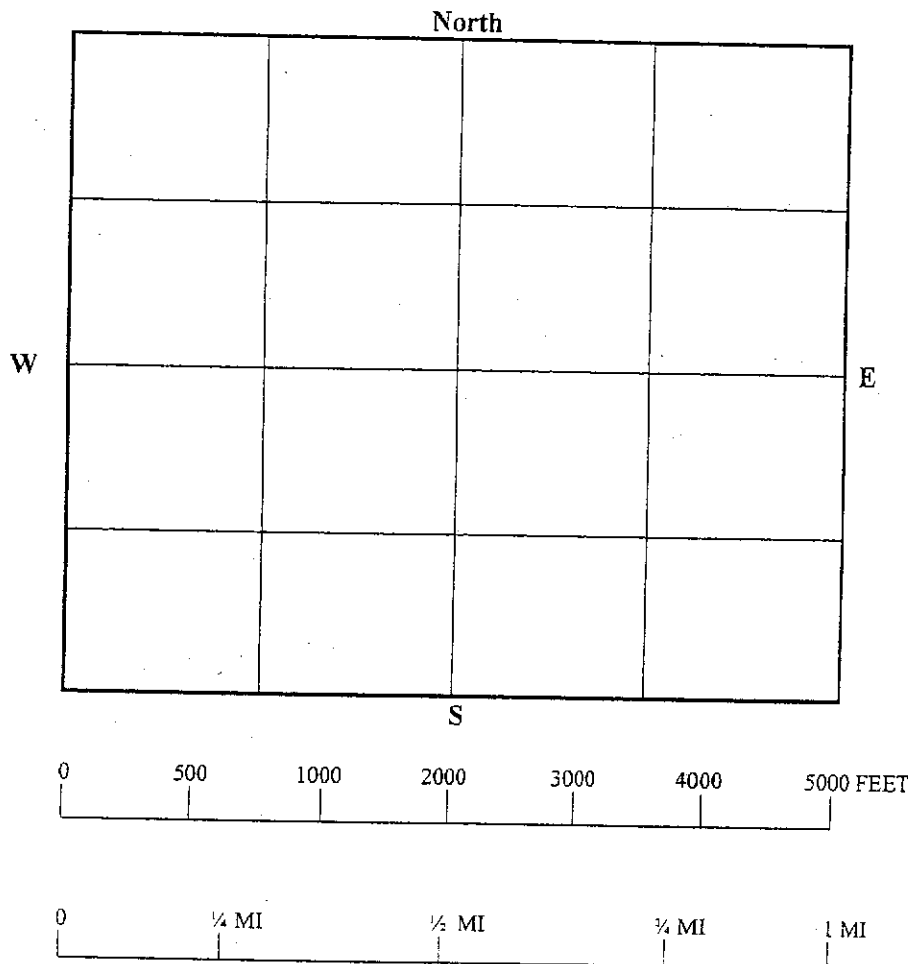
“This permit will not take effect unless the Truckee River Operating Agreement is in effect. All diversions, storage, use of water and operations under this permit and license shall be in accordance with the provisions contained in this permit or any subsequent license and the Truckee River Operating Agreement.”



### 13. MAP

(Please complete legibly, with as much detail as possible, or attach a suitable alternative. See example in instruction booklet.)

SECTION(S) \_\_\_\_\_ TOWNSHIP \_\_\_\_\_ RANGE \_\_\_\_\_, \_\_\_\_\_ B. & M.



- (1) Show location of the stream or spring, and give name.
- (2) Locate and describe the point of diversion (i.e. the point at which water is to be taken from the stream or spring) in the following way: Begin at the most convenient known corner of the public land survey, such as a section or quarter section corner (if on unsurveyed land more than two miles from a section corner, begin at a mark or some natural object or permanent monument that can be readily found and recognized) and measure directly north or south until opposite the point which it is desired to locate; then measure directly east or west to the desired point. Show these distances in figures on the map as shown in the instructions.
- (3) Show location of the main ditch or pipeline from the point of diversion.
- (4) Indicate clearly the proposed place of use of the water.

### 14. SUPPLEMENTAL INFORMATION

- a. If you are applying for a permit, Environmental Information form APP-ENV should be completed and attached to this form.
- b. If you are applying for underground storage, supplemental to APP (available upon request) should be completed and attached to this form.

## ATTACHMENT

### Application To Appropriate Water

#### Attachment No. 1

#### Point of Diversion

The point of diversion is:

Prosser Creek Dam - North 33° 30' East 2,050 feet from SW corner of Section 30, T18N, R17E\*, MDB&M, being within NW 1/4 of SW 1/4 of said Section 30 located in County of Nevada, California.

#### Points of Rediversion

Points of rediversion are described below<sup>1</sup>:

<b>Diversion Facility/Treatment Plant</b>	<b>40 Ac. Tract</b>	<b>Section</b>	<b>Township*</b>	<b>Range*</b>
Farad Power Flume	S ½ Lot 6 NW ¼	30	18N	18E
Fleish Power Plant Ditch & Flume	SE ¼	6	18N	18E
Steamboat Canal	NE ¼ SW ¼	31	19N	18E
Coldron Ditch	SE ¼ NE ¼	30	19N	18E
Verdi Power Ditch & Flume	SE ¼ SE ¼	19	19N	18E
Katz Ditch	SE ¼ SE ¼	19	19N	18E
Washoe Power Ditch & Flume	NW ¼ NE ¼	16	19N	18E
Hogan Ditch	SW ¼ NE ¼	16	19N	18E
Highland Ditch	SW ¼ SE ¼	9	19N	18E
Mastin Ditch	SE ¼ SW ¼	14	19N	18E
Last Chance Ditch	SE ¼ NE ¼	14	19N	18E
Sparks-Capurro Ditch	NW ¼ SE ¼	13	19N	18E
Irwin-Mayberry Ditch	NE ¼ NW ¼	19	19N	19E
Lake Ditch (Lake Southside)	NE ¼ NW ¼	19	19N	19E
South Side Canal	NE ¼ SW ¼	17	19N	19E
Orr Ditch, Orr Extension & Spanish Spring Valley Ditch	NE ¼ SW ¼	17	19N	19E
Indian Flat Ditch	NE ¼ SE ¼	17	19N	19E

\* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

<sup>1</sup> Some of the points of rediversion are identified in the U.S. v. Orr Water Ditch Company, et al. (U.S. D. Ct. NV. 1944)

<b>Diversion Facility/Treatment Plant</b>	<b>40 Ac. Tract</b>	<b>Section</b>	<b>Township*</b>	<b>Range*</b>
Orr Ditch Pump Station	NE ¼ SE ¼	17	19N	19E
Reno Power Ditch & Flume	SE ¼ NE ¼	16	19N	19E
Countryman Ditch	NE ¼ NE ¼	16	19N	19E
Chism Ditch	NE ¼ NE ¼	16	19N	19E
Hayden Ditch or Court Ditch	SE ¼ SE ¼	10	19N	19E
English Mill Ditch & English Mill Tailrace Ditch	NW ¼ SE ¼	10	19N	19E
Idlewild Pump Station	SE ¼ SE ¼	10	19N	19E
Sullivan & Kelly Ditch	NW ¼ SE ¼	11	19N	19E
Cochran Ditch	NW ¼ SE ¼	11	19N	19E
Riverside Mill Ditch & Flume (Claim #10)	NW ¼ SE ¼	11	19N	19E
Scott Ranch Ditch	SW ¼ NW ¼	12	19N	19E
Abbee Ditch	SE ¼ NE ¼	12	19N	19E
Perry Ditch	SE ¼ NE ¼	12	19N	19E
Eastman Ditch	SW ¼ NE ¼	7	19N	20E
No. Truckee Ditch (Glendale Plant)	SW ¼ NE ¼	7	19N	20E
Sessions Ditch	SW ¼ NE ¼	7	19N	20E
Pioneer Ditch	SE ¼ SE ¼	7	19N	20E
Stephens Ditch (Stevens)	SE ¼ SW ¼	8	19N	20E
Glendale Ditch	SE ¼ SW ¼	8	19N	20E
Hidden Valley Induction Well #4	SW¼ NW ¼	16	19N	20E
Largomarsino-Murphy Ditch (S. Largomarsino)	NW ¼ SE ¼	18	19N	21E
Largomarsino-Noce Ditch (N. Largomarsino)	NE ¼ SE ¼	18	19N	21E
Groton Ditch	NE ¼ SE ¼	17	19N	21E
Sheep Ranch Ditch	NW¼ SW ¼	16	19N	21E
McCarran North Side Ditch	NE ¼ NW ¼	11	19N	21E
McCarran South Side Ditch	SW¼ NW ¼	1	19N	21E
Old Ditch	NW ¼ NE ¼	6	19N	22E
Hill Ditch	NW ¼ NE ¼	32	20N	22E
Tracy Power Plant	SE ¼ SW ¼	28	20N	23E
Derby Dam & Truckee Canal	SW ¼	19	20N	23E
Preston Ditch	SE ¼ NW ¼	20	20N	23E
Washburn Ditch	SE¼ NW ¼	22	20N	23E
Gregory Ditch	SE ¼ SE ¼	14	20N	23E
Wadsworth Power Ditch	NW ¼ SW¼	13	20N	23E
Herman Ditch	NW ¼ NW¼	17	20N	24E
Pierson Ditch	NW ¼ SW¼	9	20N	24E
Fernley <sup>2</sup>	SE ¼ NW ¼	9	20N	24E
Olinghouse No. 1 Ditch	NW ¼ NE ¼	9	20N	24E

\* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

<sup>2</sup> Proposed future point of redirection to be constructed.

<b>Diversion Facility/Treatment Plant</b>	<b>40 Ac. Tract</b>	<b>Section</b>	<b>Township*</b>	<b>Range*</b>
Proctor Ditch	SW ¼ NW¼	3	20N	24E
Fellnagle Ditch	NW ¼ SE ¼	33	21N	24E
Olinghouse No. 2 Ditch	SW ¼ SE ¼	22	21N	24E
Gardella Ditch	NW ¼ SE ¼	22	21N	24E
Olinghouse No. 3 Ditch	SW ¼ NW ¼	15	21N	24E
Indian Ditch (Nixon Ditch)	SW ¼ NE ¼	12	22N	23E

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\* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

## Attachment No. 2

### Place of Use

The place of use includes lands within the following townships and ranges:

Township*	Range*
13N	17 & 18E
14N	16 – 18E
15N	16 – 18E
16N	16 – 18E
17N	15 – 20E, 24 – 31E
18N	14 – 21E, 24 – 31E
19N	14 – 31E
20N	18 – 32E
21N	18 – 26E, 29 – 32E
22N	20 – 24E
23N	20 – 24E
24N	20 – 24E
25N	20 – 24E
26N	20 – 24E
27N	20 – 24E
28N	23 & 24E

Power use will be at the following power plants located as follows:

Power Plant	Subdivision	Sec.	Township*	Range*
Farad	SE ¼ SE ¼	12	18N	17E
Fleish	NE ¼ SE ¼	30	19N	18E
Verdi	NW ¼ SE ¼	8	19N	18E
Washoe	SW ¼ SW ¼	14	19N	18E

\* All references to township and range on this page are to Mount Diablo Base and Meridian (MDB&M).

## **Attachment No. 3**

### **Purposes of Use**

The purposes of use are the following:

- Domestic
- Municipal
- Industrial
- Irrigation
- Fish Culture
- Recreational Uses
- Conservation of Pyramid Lake Fishery (as defined in P.L. 101-618)
- Stockwatering
- Fish & Wildlife Protection/Enhancement (including wetlands)
- Power (INCIDENTALS)
- Instream Water Quality Enhancement
- Flood Control

APPLICATION TO APPROPRIATE WATER BY PERMIT  
ENVIRONMENTAL INFORMATION

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO.

The following information will aid in the environmental review of your application as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR APPLICATION TO BE ACCEPTED AS COMPLETED, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your application being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

PROJECT DESCRIPTION

1. Provide a description of your project, including but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated and project operation, including how the water will be used.

This application, along with one for Stampede Reservoir, is being submitted together with four petitions requesting <sup>changes</sup> ~~transfers~~ and exchanges of water according to the provisions of the Truckee River Operating Agreement (TROA). Reclamation requests that the application for Stampede and Prosser Creek Reservoirs be treated as a single project. This application is for the appropriation of 30,000 acre feet (AF) of water, the capacity of Prosser Creek Reservoir, to be used in conjunction with License 10180. No new facilities are to be constructed, and the quantity of water diverted to storage under this application will be no greater than the total quantity diverted to storage under the two rights (30,000 AF). The diversion season will be from October 1 to August 10 of each year. The new appropriation will not take effect until TROA is in effect. TROA will be submitted to the U.S. District Courts administering the Orr Ditch and Truckee River General Electric Decrees. Once approved by the courts, TROA must be promulgated as a federal regulation before it can be implemented.

## GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your water right application, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your project. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:

- a. Person contacted N/A Date of contact \_\_\_\_\_  
Department \_\_\_\_\_ Telephone ( ) \_\_\_\_\_
- b. Assessor's Parcel No. \_\_\_\_\_
- c. County Zoning Designation \_\_\_\_\_
- d. Are any county permits required for your project? NO  
If yes, check appropriate space below:  
\_\_\_\_\_ Grading Permit, \_\_\_\_\_ Use Permit, \_\_\_\_\_ Watercourse  
Obstruction Permit, \_\_\_\_\_ Change of Zoning, \_\_\_\_\_ General Plan  
Change, Other (explain):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- e. Have you obtained any of the required permits described above? NO  
If yes, provide a complete copy of each permit obtained.

3. Are any additional state or federal permits required for your project? \_\_\_\_\_ (i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required provide the following information:

Permit type \_\_\_\_\_  
Person (s) contacted \_\_\_\_\_ Agency \_\_\_\_\_  
Date of contact \_\_\_\_\_ Telephone ( ) \_\_\_\_\_

4. Has any public agency prepared an environmental document for any aspect of your project?  
NO

If so, please submit a copy of the latest environmental document (s) prepared, including a copy of the notice of determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing



an environmental document for your application or whether the applicant is a California public agency, will be preparing the environmental document for your project. An EIS/EIR is being prepared to analyze the potential effects of TROA. The ~~EIS/EIR is being prepared jointly by the Department of Interior, as represented by Reclamation, U.S. Fish and Wildlife Service, and the Bureau of Indian Affairs, and the State of California, as represented by the Department of Water Resources.~~

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your application cannot proceed until such documents are submitted.

5. Will your project, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? No If so, explain: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your project? \_\_\_\_\_

Person contacted \_\_\_\_\_ Date of contact \_\_\_\_\_

What method of treatment and disposal will be used? \_\_\_\_\_

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? \_\_\_\_\_

Do you know of any archeological or historic sites located within the general project area?

Yes If so, explain: See EIS/EIR being prepared for TROA.

## ENVIRONMENTAL SETTING

7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:
- Along the stream channel immediately downstream from the proposed point(s) of diversion
  - Along the stream channel immediately upstream from the proposed point(s) of diversion
  - At the place(s) where the water is to be used

Note: It is very important that you submit no less than three complete sets of photographs as required above. If less than three sets are submitted, processing of your application will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within your project area (Note: See footnote denoted by \* under Question 11 below):

### Tree Dominated Communities

Subalpine Conifer  
Red Fir  
Lodgepole Pine  
Mixed Conifer  
    Sierran Mixed Conifer  
    White Fir  
    Klamath Mixed Conifer  
Douglas-Fir  
Jeffrey Pine  
Ponderosa Pine  
Eastside Pine  
Redwood  
Pinyon-Juniper  
Juniper  
Aspen  
Closed-Cone Pine-Cypress  
Montane Hardwood-Conifer  
Montane Hardwood  
Valley Foothill Hardwood  
    Blue Oak Woodland  
    Valley Oak Woodland  
    Coastal Oak Woodland  
Valley Foothill Hardwood-Conifer  
    Blue Oak-Digger Pine  
Eucalyptus  
Montane Riparian  
Valley Foothill Riparian  
Desert Riparian  
Palm Oasis  
Joshua Tree

### Shrub Dominated Communities

Alpine Dwarf-Shrub  
Low Sage  
Bitterbrush  
Sagebrush  
Montane Chaparral  
Mixed Chaparral  
Chamise-Redshank Chaparral  
Coastal Scrub  
Desert Succulent Shrub  
Desert Wash  
Desert Scrub  
Alkali Desert Scrub

### Herbaceous Dominated Communities

Annual Grassland  
Perennial Grassland  
Wet Meadow  
Fresh Emergent Wetland  
Saline Emergent Wetland  
Pasture

### Aquatic Communities

Riverine  
Lacustrine  
Estuarine  
Marine

### Developed Communities

Cropland  
Orchard-Vineyard  
Urban

Plant communities potentially affected by this application will be fully described in the EIS/EIR. The action proposed by this application is not anticipated to adversely affect plant communities at Prosser Reservoir.

Literature source: Mayer, K. and W.F. Laudenslayer, Jr., (eds). 1988. Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program at (916) 653-7203).

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your application, including changes in diversion structures, water distribution and use facilities, and changes in the place of use due to additional water development.

None.

#### FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes. (Note: See footnote denoted by \* under Question 11 below):

Fish species in the project area and potentially affected by this  
application will be fully described in the Revised Draft EIS/EIR.  
TROA is anticipated to increase the likelihood of meeting reservoir  
and stream flow objectives and thereby, maintain more constant  
monthly habitat conditions for fish species.

11. Identify the typical species of riparian and terrestrial wildlife in the project area and discuss whether or not any of these species and/or their habitat has been or would be affected by your project through construction of water diversion and distribution works and/or changes in the place of water use. (Note: See footnote denoted by \* below):

Wildlife species in the project area and potentially affected by this application will be fully described in the Revised Draft EIS/EIR. No diversion structures or distribution works are proposed by this application, nor will the places of water use be affected by this application. The action proposed by this application is not anticipated to adversely affect wildlife or wildlife habitat. TROA is anticipated to increase the likelihood of meeting reservoir and stream flow objectives and thereby maintain more constant riparian habitat conditions for wildlife.

\*Note: The purposes of Question 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the area and whether these species might be affected by your project. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (See attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program, at (916) 324-6881 or the University of California, Cooperative Extension Service (See your local telephone directory white pages).

12. Does your proposed project involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? No

If so, explain:

### CERTIFICATION

I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date DEC 19 2003 Signature [Signature]